

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

VILLAGE MANOR, INC.; *

CLEVELAND DEVELOPMENT, *

INC.; SOUTHEASTERN LIHTC *

MANAGEMENT, INC.; *

R. TIMOTHY SINGLETON; *

SINGLETON & ASSOCIATES, *

INC.; *

Plaintiffs,

Case No. 2:08-cv-00149-MHT-SRW

VS.

ARCH SPECIALTY INSURANCE *
COMPANY; SCOTTSDALE *
INSURANCE COMPANY; *
CHUBB INSURANCE COMPANY; *
MARSH USA, INC.; *

Defendants.

MOTION TO WITHDRAW

Come now Eugene P. Stutts and Thomas S. Hiley of the law firm of Spain & Gillon, LLC, and move the Court to allow the withdrawal of the undersigned attorneys from representation of Cleveland Development, Inc.; Singleton & Associates, Inc.; Southeastern LIHTC Management, Inc.; Village Manor, Inc.; and R. Timothy Singleton. The undersigned were retained only to defend these parties against claims brought against them in the action styled Keycorp Investment Limited, et al. v.

Village Manor, Inc., et al., Montgomery County Circuit Court, CV-2005-002795. The claims against these parties were dismissed with prejudice by Order of the Montgomery County Circuit Court dated Dec. 5, 2007. The undersigned have not had any involvement in preparing or litigating the January 28, 2008 Third Party Complaint filed by these parties under the same case style that has been removed to this Court.

Said withdrawal is made by mutual agreement of the undersigned and said parties. Said parties will continue to be represented by Spence Arthur Singleton and Michael Guy Holton.

Respectfully submitted,

s/ Eugene P. Stutts

Eugene P. Stutts

Thomas S. Hiley

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CERTIFICATE OF SERVICE

I hereby certify that on **March 6, 2008**, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

And I hereby certify that I have mailed the foregoing by United States Postal Service to the following non-CM/ECF participants:

Robert N. McGehee, Jr., Esq.
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Fort Worth, TX 76107

s/ Eugene P. Stutts
Of Counsel